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September 6, 2011

MARTIN H. NESBITT, TREASURER OBAMA FOR AMERICA PO BOX 8102 CHICAGO, IL 60680

Response Due Date 10/11/2011

IDENTIFICATION NUMBER: C00431445

REFERENCE: JULY QUARTERLY REPORT (04/01/2011 - 06/30/2011)

### Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. Failure to adequately respond by the response date noted above could result in an audit or enforcement action. Additional information is needed for the following 7 item(s):

- 1. The totals listed on Lines 17(a)(iii), 17(e), and 22, Column B of the Detailed Summary Pages appear to be incorrect. Column B figures for the Summary and Detailed Summary Page information should equal the sum of the Column B figures on your previous report and the Column A figures on this report. Please file an amendment to your report to correct the Column B discrepancies for this report and all subsequent report(s) which may be affected by this correction. Note that Column B should reflect only the election cycle-to-date totals (11/05/08 through 11/06/12). (2 U.S.C. § 434(b))
- 2. Schedule A-P of your report discloses one or more contributions that appear to be from a corporation(s) and/or labor organization(s) (see attached). 2 U.S.C. § 441b(a) and 11 CFR § 103.3(b) prohibit the receipt of contributions from corporations and labor organizations unless made from separate segregated funds established by the corporations and labor organizations.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(1) and (2))

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The Commission notes your additional text explaining that a refund was issued on 7/11/11. Refunds must be reported on a Schedule B-P supporting Line 20(a) of the report covering the period in which the refund is made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

**3.** Schedule A-P of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,500 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. § 441a(a) and (f); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the

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treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

The Commission notes your additional text provided with some of these contributions explaining that a refund has been issued. Please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 28(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B-P of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A-P of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

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**4.** Schedule A-P of your report (see attached) discloses a contribution from an individual(s) who has a mailing address outside of the United States of America. Please be advised that 2 U.S.C. §441e(a) and 11 CFR §110.20 prohibit foreign nationals from making contributions in connection with any election for political office or in connection with any primary election, convention, or caucus held to select candidates for any political office.

If the apparently prohibited contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have received a contribution from a foreign national, you must refund the impermissible contribution to the donor in accordance with 11 CFR § 103.3(b). Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the refund. In addition, any refunds should be disclosed on Schedule B-P supporting Line 28(a) of the report during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action on your part to refund or provide clarifying information concerning these contributions will be taken into consideration.

- **5.** Schedule B-P supporting Lines 28(a), discloses refunds to Sonja Anderson, Vinod Gupta, and Ozzie Silna. However, it appears that your committee has not reported the receipt of the original contributions or the election designation of the refund does not match the original contribution. Please clarify this matter and amend your report as necessary. (2 U.S.C. § 434(b) and 11 CFR § 104.3(a))
- **6.** Your report discloses an "Offset to Operating Expenditures" to Obama Victory Fund 2012 in the amount of \$325,552.00 on Schedule A-P, supporting Line 20(a). However, your current and prior reports do not disclose an equal or greater amount of the original disbursements to Obama Victory Fund 2012. Each expenditure to a person, which in the aggregate is greater than \$200 for the election cycle, must be reported on Schedule B-P. "Person" includes an individual, partnership, corporation, association, and public or private organization ' other than an agency of the United States Government. If necessary, please amend your report to provide a Schedule B-P or provide an explanation for this apparent discrepancy. (11 CFR § 104.3(b)(4)(i)(A))

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7. Your report disloses a memo text listing in-kind contributions made on behalf of other committees. Please note that in-kind contributions to other committees should be reported as memo entries on Schedule B-P, supporting Line 29.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1165.

Sincerely,

Rebecca Hough

Sr. Campaign Finance & Reviewing Analyst

Reports Analysis Division

Robecca Hough

Contributor Name	Date	Amount	Election
Ansary, Zahida	6/15/2011	\$2,500.00	P2012
Ansary, Zahida	6/30/2011	\$10.00	P2012
Davis, Stephen James	5/9/2011	\$2,500.00	P2012
Davis, Stephen James	5/10/2011	\$25,800.00	P2012
Gowen, Dale	4/4/2011	\$5,000.00	G2012
Gowen, Dale	4/4/2011	\$2,500.00	G2012
I.R.W. Organization	6/30/2011	\$245.00	P2012
Murphy, Cynthia C.	5/25/2011	\$35,800.00	P2012
Murphy, Cynthia C.	6/15/2011	-\$30,800.00	P2012
Rakestraw, Pamela M.	4/22/2011	\$2,500.00	P2012
Rakestraw, Pamela M.	6/29/2011	\$1,000.00	P2012
Rhodes, Stanley	6/28/2011	\$5,000.00	G2012
	1/10/0011	<b>\$2.5</b> 00.00	G2012
Sollinger, Mary Lang	4/12/2011	\$2,500.00	G2012
Sollinger, Mary Lang	6/7/2011	\$50.00	G2012
Stankanaan Nanay	6/20/2011	\$20.00	D2012
Stephenson, Nancy	6/20/2011	\$30.00	P2012 P2012
Stephenson, Nancy	6/30/2011 6/30/2011	\$5.00 \$5.00	P2012 P2012
Stephenson, Nancy Stephenson, Nancy	6/30/2011	\$5.00	P2012 P2012
Stephenson, Nancy	6/30/2011	\$5,000.00	P2012 P2012
Stephenson, Nancy	6/30/2011	\$5,000.00	P2012 P2012
Stephenson, Ivaney	U/ JU/ ZU11	φ3.00	1 2012
Tweddale, Elizabeth	6/16/2011	\$2,500.00	G2012
Tweddale, Elizabeth	6/28/2011	\$5.00	G2012
Tweddale, Elizabeth	6/28/2011	\$5.00	G2012

Contributor Name	Date	Amount	Election
Tweddale, Elizabeth	4/28/2011	\$5.00	P2012
Tweddale, Elizabeth	6/15/2011	\$5.00	P2012
Tweddale, Elizabeth	6/16/2011	\$2,490.00	P2012
Tweddale, Elizabeth	6/29/2011	\$3.00	P2012
Warden, Marian	6/1/2011	\$25.00	G2012
Warden, Marian	6/16/2011	\$2,500.00	G2012
Weissler, Stuart Cabot	6/3/2011	\$2,000.00	G2012
Weissler, Stuart Cabot  Weissler, Stuart Cabot	6/28/2011	\$2,000.00	G2012
Weissler, Stuart Cabot  Weissler, Stuart Cabot	6/29/2011	\$2,000.00	G2012
Weissier, Stuart Cabot	0/27/2011	Ψ2,000.00	02012
Yorkin, Peg	4/4/2011	\$2,500.00	P2012
Yorkin, Peg	5/18/2011	\$100.00	P2012
Zesmer, David	4/12/2011	\$3,200.00	P2012
The following contributions are from individuals with a foreign address:			
Alajmy, Bakhita	5/7/2011	\$500.00	P2012
Ash-Wheeler, Roger	6/21/2011	\$1,000.00	P2012
Bardrick, Alison	4/26/2011	\$250.00	P2012
Bardrick, Alison	6/2/2011	\$250.00	P2012
Bardrick, Alison	6/30/2011	\$500.00	P2012
Bedingfield, David	6/29/2011	\$250.00	P2012
Bench, Evan	6/16/2011	\$200.00	P2012
Bench, Evan	6/27/2011	\$25.00	P2012
Brinitzer, John	6/30/2011	\$500.00	P2012
Brown, Thomas	4/29/2011	\$200.00	P2012
Brown, Thomas	6/30/2011	\$200.00	P2012
Casey, Brett	6/29/2011	\$500.00	P2012
Cheru, Fantu	6/1/2011	\$250.00	P2012
Cusumano, Robert F.	4/26/2011	\$2,500.00	P2012
Cusumano, Robert F.	4/26/2011	\$2,500.00	G2012

Contributor Name	Date	Amount	Election
DeGraw, James	4/16/2011	\$1,000.00	P2012
Esteve, Mary	6/3/2011	\$250.00	P2012
Galli-Leslie, Martha	6/7/2011	\$250.00	P2012
Greenhouse, David	5/4/2011	\$250.00	P2012
Hirst, Allan	4/6/2011	\$2,500.00	G2012
Hirst, Allan	4/6/2011	\$2,500.00	P2012
Hurley, Bradford	6/2/2011	\$500.00	P2012
Jordan, Emily	5/4/2011	\$250.00	P2012
Kalish, John	5/11/2011	\$100.00	P2012
Kalish, John	5/11/2011	\$100.00	P2012
Kalish, John	6/29/2011	\$75.00	P2012
Kandel, Robert	6/14/2011	\$250.00	P2012
Lau, Geri	5/12/2011	\$2,500.00	P2012
McDonald, Marilyn	6/30/2011	\$500.00	P2012
McGovern, Mary	4/4/2011	\$100.00	P2012
McGovern, Mary	6/15/2011	\$50.00	P2012
McGovern, Mary	6/22/2011	\$15.00	P2012
McGovern, Mary	6/22/2011	\$15.00	P2012
McGovern, Mary	6/22/2011	\$30.00	P2012
McGovern, Mary	6/22/2011	\$6.00	P2012
McGovern, Mary	6/27/2011	\$50.00	P2012
Mitchell, Camille	6/16/2011	\$500.00	P2012
Neilsen, Tuyet	5/14/2011	\$2,500.00	P2012
Neilsen, Tuyet	5/14/2011	\$2,300.00	G2012
Ozburn, Matthew	6/21/2011	\$375.00	P2012
Preston, Brooks	6/30/2011	\$500.00	P2012
Rabinowitz, Constance	6/2/2011	\$100.00	P2012
Rabinowitz, Constance	6/24/2011	\$500.00	P2012
Rabinowitz, Constance	6/30/2011	\$10.00	P2012
Risheg, Fayez	5/12/2011	\$250.00	P2012
Risheg, Fayez	6/8/2011	\$250.00	P2012
Roche, Robert	6/30/2011	\$2,500.00	P2012
Roche, Robert	6/30/2011	\$2,500.00	G2012

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Contributor Name	Date	Amount	<b>Election</b>
Rosen, Ian	6/17/2011	\$500.00	P2012
Vassilakis, Fay M	6/15/2011	\$500.00	P2012